

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JACQUELINE D. HARVEY,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

NO: 13-CV-5136-TOR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF 8). Pursuant to the parties' stipulation, this case is hereby reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

**ACCORDINGLY, IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand (ECF No. 18) is **GRANTED**.

The Commissioner's decision regarding Plaintiff's application for

1 disability insurance benefits under Title II of the Social Security Act is  
2 **REVERSED** and **REMANDED** for further administrative proceedings  
3 pursuant to sentence four of 42 U.S.C. § 405(g).

4 2. On remand, the Appeals Council will instruct the Administrative Law  
5 Judge to (1) re-evaluate the severity of Plaintiff's mental impairments  
6 pursuant to the special technique in 20 C.F.R. § 404.1520a; (2) if  
7 warranted and available, obtain evidence from a medical expert regarding  
8 the severity and nature of Plaintiff's mental impairments, and/or updated  
9 psychological testing; (3) reconsider Plaintiff's residual functional  
10 capacity, and in so doing, further evaluate the opinion evidence from the  
11 examining and non-examining sources; (4) further evaluate the lay  
12 witness evidence pursuant to Social Security Ruling 06-03p; (5) re-  
13 evaluate the evidence at step four of the sequential evaluation process,  
14 and in so doing compare the physical and mental demands of Plaintiff's  
15 past relevant work with her maximum residual functional capacity  
16 (Social Security Rulings 82-61 and 82-62); (6) if warranted, seek  
17 supplemental vocational expert testimony to determine whether there are  
18 a significant number of jobs in the national economy that Plaintiff can  
19 perform; and (7) issue a new decision.

20

1       3. Upon proper request to this Court, Plaintiff will be entitled to reasonable  
2       attorney's fees and costs pursuant to the Equal Access to Justice Act, 28  
3       U.S.C. § 2412(d).

4       4. Plaintiff's pending Motion for Summary Judgment (ECF No. 11) is  
5       **DENIED** as moot.

6       The District Court Executive is hereby directed to file this Order, enter  
7       **JUDGMENT** for Plaintiff, provide copies to counsel, and **CLOSE** the file.

8       **DATED** October 15, 2014.



A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE  
United States District Judge